

JOHN F. COOK
MAYOR

JOYCE WILSON
CITY MANAGER



CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
SUSANNAH M. BYRD, DISTRICT 2
J. ALEXANDRO LOZANO, DISTRICT 3
MELINA CASTRO, DISTRICT 4
PRESI ORTEGA, JR., DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
BETO O'ROURKE, DISTRICT 8

REGULAR COUNCIL MEETING MINUTES
COUNCIL CHAMBERS
OCTOBER 11, 2005
9:00 A.M.

The City Council met in regular session at the above place and date. Meeting was called to order at 9:04 a.m. Mayor John F. Cook present and presiding and the following Council Members answered roll call: Ann Morgan Lilly, Susannah M. Byrd, Melina Castro, Presi Ortega, Jr., Eddie Holguin, Jr., Steve Ortega and Beto O'Rourke. Late arrival: Jose Alexandro Lozano at 9:12 a.m. The invocation was given by Police Chaplain Carlos Flores, followed by the Pledge of Allegiance to the Flag of the United States of America.

MAYOR'S PROCLAMATIONS

1. ***EL PASO LATINO AIDS AWARENESS DAY***
2. ***DOMESTIC VIOLENCE AWARENESS MONTH***
3. ***ARTS INTERNATIONAL ART APPRECIATION MONTH***
4. ***NATIONAL MARTIAL ARTS DAY***
5. ***MEDICAL ASSISTANTS WEEK***

CALL TO THE PUBLIC – PUBLIC COMMENT

This time is reserved for members of the public who would like to address the City Council on items that are not on the City Council Agenda.

A sign-up form is available on line at https://www.elpasotexas.gov/city_clerk/contact_public.asp for those who wish to sign up in advance of the meeting date and a sign-up form is available outside the City Council Chambers at the City Clerk table for those who wish to sign up on the day of the meeting.

Requests to speak must be received by 9:00 a.m. on the date of the meeting.

30 Minutes total is allotted for speakers.

Three to five minutes may be allowed for each speaker.

Mr. Raul Rodriguez, citizen, commented on Medicare Advantage.

Motion made by Representative Byrd, seconded by Representative O'Rourke and unanimously carried to **RECESS** the City Council Meeting for the Mass Transit Department Board Meeting at 9:23 a.m.

Motion made by Representative O'Rourke, seconded by Representative Byrd and unanimously carried to **RECONVENE** the City Council Meeting from the Mass Transit Department Board Meeting at 10:32 a.m.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City Manager be authorized to sign Contract of Services between the City of El Paso and Project ARRIBA Advanced Retraining and Redev, Inc. ("Grantee"), a 501 (c) 3, a tax exempt, non-profit Texas corporation. Pursuant to the Contract, Grantee shall provide training and case management services to eligible clients who require occupational skills. The Contract shall continue in effect until August 31, 2006; the cost to the City will not exceed \$175,000.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the City Manager of the City of El Paso (the "**City**") be authorized to sign that certain ATM License Agreement for El Paso Employees Federal Credit Union between the City and the El Paso Employees Federal Credit Union which allows the installation of several Automatic Teller Machines (ATMs) on City Property.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Classification and Compensation Plan shall be amended, as recommended by the Civil Service Commission. The class of **Financial Services Chief Financial Officer** is hereby revised as specified in the duties and responsibilities attached hereto. The Code will remain **5279**. The Grade shall be **EX A**.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City Manager be authorized to sign, on behalf of the Parks and Recreation Department and other City departments, an Agreement with the American Red Cross providing co-sponsorship by the Parks and Recreation Department for the "Ready El Paso" training day to be held on Saturday, October 29, 2005, at the Hilos de Plata Center, for the purpose of providing essential emergency preparedness and lifesaving training to the citizens of El Paso. The City, pursuant to Section 13.24.200, El Paso Municipal Code, will waive the user fee for this event.

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***RESOLUTION**

WHEREAS, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, ALBERT MALOOLY, owner of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso Municipal Code; and the owner failed to comply with due notices. In accordance with El Paso Municipal Code 9.04.380 the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

5000 Block of Pershing, City of El Paso, El Paso County, Texas, being more particularly described as North 115 Ft of Lots 15 to 17, Block 4, Westlyn Heights Subdivision, Parcel #W177-999-0040-3600,

to be FOUR HUNDRED FORTY-NINE AND 24/100 DOLLARS (\$449.24) as reported by the Director of the Department of Solid Waste Management. The City Council finds that the work was performed on the eighteenth day of March, 2005, and approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount FOUR HUNDRED FORTY-NINE AND 24/100 DOLLARS (\$449.24) to be a lien on the above described property, said amount being due and payable within thirty (30 days) from the date of City Council approval, and thereafter being ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the Lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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***RESOLUTION**

WHEREAS, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, MICHAEL E. AHUMADA, owner of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso Municipal Code; and the owner failed to comply with due notices. In accordance with El Paso Municipal Code 9.04.380 the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

3727 Porter, City of El Paso, El Paso County, Texas, being more particularly described as Lots 3 & 4 (6000 SQ FT), Block 72, Grandview Subdivision, Parcel #G686-999-0720-0900,

to be FORTY-EIGHT AND 71/100 DOLLARS (\$48.71) as reported by the Director of the Department of Solid Waste Management. The City Council finds that the work was performed on the twenty-third day of February, 2005, and approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount FORTY-EIGHT AND 71/100 DOLLARS (\$48.71) to be a lien on the above described property, said amount being due and payable within thirty (30 days) from the date of City Council approval, and thereafter being ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the Lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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***RESOLUTION**

WHEREAS, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, MICHAEL E. AHUMADA, owner of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso Municipal Code; and the owner failed to comply with due notices. In accordance with El Paso Municipal Code 9.04.380 the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

3727 Porter, City of El Paso, El Paso County, Texas, being more particularly described as Lots 3 & 4 (6000 SQ FT), Block 72, Grandview Subdivision, Parcel #G686-999-0720-0900,

to be FORTY-EIGHT AND 71/100 DOLLARS (\$48.71) as reported by the Director of the Department of Solid Waste Management. The City Council finds that the work was performed on the twenty-third day of February, 2005, and approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount FORTY-EIGHT AND 71/100 DOLLARS (\$48.71) to be a lien on the above described property, said amount being due and payable within thirty (30 days) from the date of City Council approval, and thereafter being ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the Lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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***RESOLUTION**

WHEREAS, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, MICHAEL E. AHUMADA, owner of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso Municipal Code; and the owner failed to comply with due notices. In accordance with El Paso Municipal Code 9.04.380 the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

3727 Porter, City of El Paso, El Paso County, Texas, being more particularly described as Lots 3 & 4 (6000 SQ FT), Block 72, Grandview Subdivision, Parcel #G686-999-0720-0900,

to be FORTY-EIGHT AND 71/100 DOLLARS (\$48.71) as reported by the Director of the Department of Solid Waste Management. The City Council finds that the work was performed on the twenty-third day of February, 2005, and approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount FORTY-EIGHT AND 71/100 DOLLARS (\$48.71) to be a lien on the above described property, said amount being due and payable within thirty (30 days) from the date of City Council approval, and thereafter being ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the Lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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***RESOLUTION**

WHEREAS, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, DEUTSCHE BANK NATIONAL TRUST COMPANY, owner of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso Municipal Code; and the owner failed to comply with due notices. In accordance with El Paso Municipal Code 9.04.380 the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

10056 Manitoba Street, City of El Paso, El Paso County, Texas, being more particularly described as Lot 5, Block 5, Colonia Verde Subdivision, Parcel #C741-999-0050-1300,

to be TWO HUNDRED TWENTY-ONE AND 91/100 DOLLARS (\$221.91) as reported by the Director of the Department of Solid Waste Management. The City Council finds that the work was performed on the twenty-seventh day of April, 2005, and approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount TWO HUNDRED TWENTY-ONE AND 91/100 DOLLARS (\$221.91) to be a lien on the above described property, said amount being due and payable within thirty (30 days) from the date of City Council approval, and thereafter being ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the Lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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***RESOLUTION**

WHEREAS, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, JOSE S. AND ARMIDA MARTINEZ, owners of the hereinafter described property, were given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso Municipal Code; and the owners failed to comply with due notices. In accordance with El Paso Municipal Code 9.04.380 the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

11409 Patricia Avenue, City of El Paso, El Paso County, Texas, being more particularly described as Lot 30, Block 2, Kimberly Heights Subdivision, Parcel #K383-999-0020-3000,

to be TWO HUNDRED EIGHTY-NINE AND 57/100 DOLLARS (\$289.57) as reported by the Director of the Department of Solid Waste Management. The City Council finds that the work was performed on the sixth day of December, 2004, and approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount TWO HUNDRED EIGHTY-NINE AND 57/100 DOLLARS (\$289.57) to be a lien on the above described property, said amount being due and payable within thirty (30 days) from the date of City Council approval, and thereafter being ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the Lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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***RESOLUTION**

WHEREAS, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, PEDRO A. AND SILVIA VILLALOBOS, owners of the hereinafter described property, were given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso Municipal Code; and the owners failed to comply with due notices. In accordance with El Paso Municipal Code 9.04.380 the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

9853 La Morenita, City of El Paso, El Paso County, Texas, being more particularly described as Lot 7, Block 1, Mission Pass Subdivision, Parcel #M579-999-0010-0700,

to be ONE HUNDRED THIRTEEN AND 66/100 DOLLARS (\$113.66) as reported by the Director of the Department of Solid Waste Management. The City Council finds that the work was performed on the fifteenth day of February, 2005, and approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount ONE HUNDRED THIRTEEN AND 66/100 DOLLARS (\$113.66) to be a lien on the above described property, said amount being due and payable within thirty (30 days) from the date of City Council approval, and thereafter being ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the Lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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***RESOLUTION**

WHEREAS, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, PEDRO A. AND SILVIA VILLALOBOS, owners of the hereinafter described property, were given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso Municipal Code; and the owners failed to comply with due notices. In accordance with El Paso Municipal Code 9.04.380 the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

9853 La Morenita, City of El Paso, El Paso County, Texas, being more particularly described as Lot 7, Block 1, Mission Pass Subdivision, Parcel #M579-999-0010-0700,

to be EIGHTY-SEVEN AND 68/100 DOLLARS (\$87.68) as reported by the Director of the Department of Solid Waste Management. The City Council finds that the work was performed on the eighteenth day of May, 2004, and approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount EIGHTY-SEVEN AND 68/100 DOLLARS (\$87.68) to be a lien on the above described property, said amount being due and payable within thirty (30 days) from the date of City Council approval, and thereafter being ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the Lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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***RESOLUTION**

WHEREAS, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, LORENA AND MIKE VALENZUELA, JR., owners of the hereinafter described property, were given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso Municipal Code; and the owners failed to comply with due notices. In accordance with El Paso Municipal Code 9.04.380 the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

9904 La Morenita, City of El Paso, El Paso County, Texas, being more particularly described as Lot 7, Block 2, Mission Pass Subdivision, Parcel #M579-999-0020-0700,

to be TWO HUNDRED FIFTY-NINE AND 80/100 DOLLARS (\$259.80) as reported by the Director of the Department of Solid Waste Management. The City Council finds that the work was performed on the fifteenth day of February, 2005, and approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount TWO HUNDRED FIFTY-NINE AND 80/100 DOLLARS (\$259.80) to be a lien on the above described property, said amount being due and payable within thirty (30 days) from the date of City Council approval, and thereafter being ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the Lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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***RESOLUTION**

WHEREAS, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, MARIA E. M. WISEMAN AND THREE, c/o AIDA M. HERNANDEZ, owners of the hereinafter described property, were given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso Municipal Code; and the owners failed to comply with due notices. In accordance with El Paso Municipal Code 9.04.380 the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

9315 Socorro Road, City of El Paso, El Paso County, Texas, being more particularly described as Tract 4 (8150 SQ FT), Candelaria Subdivision, Parcel #C080-999-0010-1300,

to be FIVE HUNDRED THIRTY-FIVE AND 84/100 DOLLARS (\$535.84) as reported by the Director of the Department of Solid Waste Management. The City Council finds that the work was performed on the twenty-sixth day of January, 2005, and the third day of February, 2005, and approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount FIVE HUNDRED THIRTY-FIVE AND 84/100 DOLLARS (\$535.84) to be a lien on the above described property, said amount being due and payable within thirty (30 days) from the date of City Council approval, and thereafter being ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the Lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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***RESOLUTION**

WHEREAS, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, SUSAN G. MOLINA, owner of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso Municipal Code; and the owner failed to comply with due notices. In accordance with El Paso Municipal Code 9.04.380 the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

10464 Brian Mooney Street, City of El Paso, El Paso County, Texas, being
more particularly described as Lot 13 (11884 SQ FT), Block 113 Eastwood
Heights Replat B Subdivision, Parcel #E222-999-1130-2500,

to be ONE HUNDRED NINETY-FOUR AND 85/100 DOLLARS (\$194.85) as reported by the Director of the Department of Solid Waste Management. The City Council finds that the work was performed on the fourteenth day of March, 2005, and approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount ONE HUNDRED NINETY-FOUR AND 85/100 DOLLARS (\$194.85) to be a lien on the above described property, said amount being due and payable within thirty (30 days) from the date of City Council approval, and thereafter being ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the Lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's office relating to the proceeding against the above described property are made a part of this Resolution by reference.

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***RESOLUTION**

WHEREAS, the Tax Assessor/Collector of the City of El Paso (the "**City**") has entered the amount of tax as provided by Section 26.09(e) of the State Property Tax Code in the appraisal roll, creating a tax roll for entities for which the City Tax Assessor/Collector collects taxes, a summary of which is attached hereto and incorporated herein by reference;

WHEREAS, the tax roll for the entities is on file and available for inspection in the City Tax Office; and

WHEREAS, the City Tax Assessor/Collector now submits the appraisal roll to the City Council for approval as the tax roll.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the appraisal roll is approved by City Council and does constitute the tax roll for 2005 of the City and all entities for which the City Tax Assessor/Collector collects taxes.

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*Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Byrd and unanimously carried to **APPOINT** Michael R. Gibson to the Airport Board by Representative Susie Byrd, District 2.

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*Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Byrd and unanimously carried to **APPOINT** Annabell Perez to the Committee on Border Relations by Representative Susie Byrd, District 2.

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*Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Byrd and unanimously carried to **APPOINT** Robert McGregor to the Art Museum Advisory Board by Representative Susie Byrd, District 2

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*Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Byrd and unanimously carried to **APPOINT** Carlos Gallinar to the City Plan Commission by Representative Steve Ortega, District 7.

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*Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Byrd and unanimously carried to **APPOINT** Ted Richardson to the Airport Board by Mayor John F. Cook.

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*Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Byrd and unanimously carried to **APPOINT** Ana Dueñez to the Community Development Steering Committee by Representative Jose Alexandro Lozano, District 3.

Ms. Ana Dueñez commented.

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*Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Byrd and unanimously carried to **APPROVE** Change Order No. Three (Construction Change) to Golf Works, Inc. for Contract No. 2005-050, EPIA Golf Course project, located at El Paso International Airport, Global Reach, for an increased amount of \$18,887.00.

The purpose of this change order is to:

1. Provide for modifications to lake fill line and electrical work to motorized operating valve as stated in request \$9,882.00.
2. Delete Bid Item XVI – Landscape Installation and Delete Item XVII – Wetland Habitat Under Section A. (\$19,530.00)
3. Add Line Item to provide for installation of Drip Irrigation System to all proposed trees and shrubs. \$139,495.00
4. Decreased Bid Item III, Line Item 3, Architectural Grading. (\$120,000.00)
5. Increased Allowance for Alternate Bid Item 18, Rustic Walk Bridge. \$9,040.00

The scheduled completion date is December 7, 2005

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*Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Byrd and unanimously carried to **APPROVE** Change Order No. Three (3) (Scope Change) to J. A. R. Concrete, Inc. for Contract No. 2005-124, Alabama Street and Drainage Improvements project, located at McKelligon Canyon Road to Fred Wilson Avenue (District 2), for a decreased amount of <\$13,900.00>. The purpose of this Change Order is to deduct from Line Item No. 10, Subgrade Preparation 27,800 sy @ \$1.50/sy <\$41,700.00>, and to add new Bid Item No. 10A Non-Scarified Subgrade 27,800 sy @ \$1.00/sy \$27,800.00, as requested by the Departments of Engineering and Street. The revised scheduled completion date of November 2005 remains unchanged.

The funding sources for the work described under this Change Order are 14200403-PBE04ST102-29116-508027.

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*Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Byrd and unanimously carried to **APPROVE** Change Order No. One (1) (Construction Change) to Alpha Southwest, Inc. for Contract No. 2005-134, El Paso International Airport Lone Star Golf Course Well Equipping and Well Testing project, located at 1510 Hawkins Boulevard (District 3), for a decrease in the amount of <\$196,927.73>. The completion date of May 2005 remains unchanged. The purpose of this Change Order is due to unforeseen conditions of low levels of ground water and the poor quality of water encountered, which did not comply with the minimum requirements for irrigation, left no recourse but to abandon the well, per the request by Engineering and El Paso International Airport.

Funding for this change order is 62620022-PAP0033-41074-508027.

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*Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Byrd and unanimously carried to **APPROVE** Change Order No. One (1) (Construction Change) to Alpha Southwest, Inc. for Contract No. 2005-196, El Paso International Airport Lone Star Golf Course Rehabilitation of Water Well project, located at 1510 Hawkins Boulevard, (District 3) for a decrease in the amount of <\$162,361.00>. Unforeseen levels of deterioration of the existing well shaft prevented the completion of the work to bring the water well back to efficient production levels required for irrigation, resulting in the abandonment of the water well as requested by the Departments of Engineering and El Paso International Airport. This Change Order adds zero days to the completion date of August 13, 2005.

Funding for this change order is 62620022-PAP0033-41074-508027.

*Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Byrd and unanimously carried to **APPROVE** the request that Council award and exercise the Twenty-Four (24) month option from November 24, 2005 to November 24, 2007 for Contract #2003-209-C3 with Bazaar Uniforms & Men's Store, El Paso, Texas, for Uniforms. Financial Services is authorized to issue Purchase Orders as necessary during the contract period.

Option No.: ONE [OF ONE]
Amount of Award: \$100,000.00 (Total for two years)
Account No's: 34010289-503120-40403
34010291-503120-40403
34010293-503120-40403
34010294-503120-40403
34010296-503120-40403
34380001-503120-40450
34380036-503120-40450
Funding Source: Uniforms and Apparel Supplies
Department: Environmental Services

.....
*Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Byrd and unanimously carried to **AWARD** Bid Solicitation No. 2005-253 Alethea Park Parking Lot Improvements

Location: 901 Althea Park Drive
Contractor: Matyear Construction Co., Inc.
El Paso, TX

Department: Parks and Recreation
Funds Available: 31130550-PPW0046032YR2-60035-508027
Funding Source: 2000 Quality of Life Bonds
Items: Base Bid I \$124,375.85
Total Award: \$124,375.85 (Estimated)
Estimated Completion Date: December 30, 2005

RECOMMENDATION:

The Departments of Engineering and Parks and Recreation recommend the award of this contract to Matyear Construction Co., Inc. the low responsible, responsive bidder. It is requested that the City Manager of the City of El Paso be authorized to sign the referenced contract.

Work under the unit price component is only an estimated value and will be ordered, performed, invoiced and paid by measured quantity. The actual cost of the unit price component will be the sum total of unit prices at the end of the contract term.

.....
*Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Byrd and unanimously carried to **AWARD** Bid Solicitation No. 2005-100 Ysleta and Henderson Health Centers Re-Roofing and Mechanical Improvements

Location: 101 Candelaria (Ysleta)
721 S. Mesa (Henderson)
Contractor: Matyear Construction Co., Inc.
El Paso, TX

Department: El Paso City-County Health and Environmental District
Funds Available: 14200405-PBE04HE102-29164-508027 (Ysleta)
14200405-PBE04HE101-29163-508027 (Henderson)
Funding Source: 2004 Bond Election
Items: Base Bid I \$156,817.00
Base Bid II \$300,000.00
Total Award: \$456,817.00
Estimated Completion Date: December 30, 2005

RECOMMENDATION:

The Departments of Engineering and El Paso City County Health District recommend the award of this contract to Matyear Construction Co., Inc., as this Offeror has provided the Best Value Proposal. It is requested that the City Manager of the City of El Paso be authorized to sign the referenced contract.

As part of the award of this contract, the City Engineer is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 25% of the original contract price as awarded, without further authorization by City Council.

Estimated completion date for this project is December 30, 2005.

NOTE: Revised Funding Source: 2004 Bond Election

.....
*Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Byrd and unanimously carried to **AWARD** Bid Solicitation No. 2005-204 Bulk Waste Crane Truck

Award to: Southwest Truck Sales
El Paso, TX
Item(s): #1, Quantity 2 @ \$123,333.00/each
Amount: \$246,666.00

Department: Environmental Services
Funds available: 34340200-508006-40415
Funding source: Solid Waste Funds / Equipment 2004
Total award: \$246,666.00

The General Services and Financial Services Departments recommend award as indicated to the lowest responsive offer meeting specifications from responsible parties.

This is a fixed-price, single (one-time) purchase, to purchase Bulk Waste Crane Trucks. No option to purchase additional quantities was offered. No prompt payment discount was offered.

.....
*Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Byrd and unanimously carried to **AWARD** Bid Solicitation No. 2005-251 Thirst Quencher Fluid Replenishment Beverage

Award to: Depot USA
El Paso, TX
Item(s): #1
Amount: \$75,000.00 (estimated annually)
Department: Various
Funds available: 37370155-503123-45202

Funding source: Various - (All City Departments will be using this contract)
Total award: \$150,000.00 (estimated)

The General Services and Financial Services Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

The low bidder did not have a sugar free product available. Depot USA is the combined low bid for items 1 and 1A.

Vendor offers the City the option to extend the term of the contract at the same unit prices for two (2) additional years if the option is exercised within one (1) year from the date of the award.

This is a Requirements Type Contract with an initial term of Twenty-Four (24) months.

.....
*Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Byrd and unanimously carried to **APPROVE** the request of Burges High School to hold a homecoming parade on October 19, 2005 from 6:00 p.m. to 7:30 p.m. Route: Start at Burges High School student parking lot on Edgemere, turn right on Edgemere and go around Edgemere Park median to finish at the parking lot. Approximately 550 persons, 25 vehicles, 8 floats will take part and 500 spectators are anticipated.
PERMIT # 05-143 [Carol Jarman]

.....
*Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Byrd and unanimously carried to **APPROVE** the request of Faith Christian Academy to hold a homecoming parade on October 14, 2005 from 1:30 p.m. to 3:00 p.m. Route: Start at Abundant Living Faith Center parking lot on Valley Crest, turn left on Valley Crest to Escobar, turn left on Escobar and finish at Faith Christian Academy parking lot. Approximately 480 persons, 16 vehicles pulling 16 trailers will take part and 80 spectators are anticipated.
PERMIT # 05-145 [Monica Yvette Carroll]

.....
*Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Byrd and unanimously carried to **APPROVE** the request of St Clement's Episcopal School to hold a 1-mile run on October 29, 2005 from 8:00 a.m. to 10:00 a.m. Route: Start on Yandell between Williams St and Dallas St, proceed on Yandell to church parking lot, turn left at parking lot and finish at the field. Approximately 200 persons, 2 vehicles will take part and 50 spectators are anticipated. This request includes permission to use amplification (1 microphone and 1 speaker). PERMIT # 05-144 [Patricia Jacobes]

.....
*Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Byrd and unanimously carried to **APPROVE** the request of World Apostolate of Fatima to hold a procession on October 15, 2005 from 7:00 a.m. to 8:30 a.m. Route: Start at Saint Patrick Parish parking lot on Arizona, turn left on Arizona to Oregon, turn left on Oregon to Missouri, turn right on Missouri to Santa Fe, turn left on Santa Fe and finish at El Paso Convention & Performing Arts Center. Approximately 800 persons will take part.
PERMIT # 05-146 [Azucena G Lopez]

.....
*Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Byrd and unanimously carried to **APPROVE** the request of City of El Paso to block off Cheryl Ladd between Karl Wyler and Dean Martin on October 12, 2005 from 9:00 a.m. to 12:00 p.m. for a ribbon celebration. Approximately 75 persons and 4 vehicles will take part. Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices". This request includes permission to use amplification (1 microphone and 2 amplifiers). PERMIT # 05-156 [Eddie Holguin, Jr.]

.....
Motion made Representative Byrd, seconded by Representative Presi Ortega, Jr. and unanimously carried that the following Ordinances, having been **INTRODUCED** pursuant to Section 3.9 of the El Paso City Charter, be advertised for public hearing:

- A.** An ordinance granting a Special Privilege to the El Paso Downtown Management District authorizing the encroachment of temporary street displays (banners) over portions of public right-of-way to be placed within the Downtown Banner District (Fee: \$10.00, SP-05022)

PUBLIC HEARING WILL BE HELD ON OCTOBER 25, 2005 FOR ITEM A

- B.** An Ordinance changing the zoning of a 2.7619 acre portion of Lot 1, Block 10, Newport Estates Unit Two, El Paso, El Paso County, Texas from A-O/sc (Apartment-Office/special contract) to C-1/sc (Commercial/special contract). The penalty is as provided for in Chapter 20.68 of the El Paso Municipal Code. Subject Property: 2200 Block of Beachfront. Applicant: SEAB, L.P. ZON05-00085
- C.** An Ordinance granting Special Permit No. ZON05-00087, to allow for a Planned Residential Development on Loma Linda Unit Four, El Paso, El Paso County, Texas, pursuant to Section 20.14.040 (Zoning) of the El Paso Municipal Code. The penalty is as provided for in Chapter 20.68 of The El Paso Municipal Code. Subject Property: 11500 Block of Edgemere. Applicant: JNC Land Development Co. ZON05-00087
- D.** An Ordinance granting Special Permit No. ZON05-00089, to allow for a parking reduction on the property described as Lots 5 to 8, Block 17, Franklin Heights, El Paso, El Paso County, Texas, pursuant to Section 20.64.175 of the El Paso Municipal Code. The penalty is as provided for in Chapter 20.68 of the El Paso Municipal Code. Subject Property: 1208 Myrtle. Applicant: Opportunity Center for the Homeless. ZON05-00089

PUBLIC HEARING WILL BE HELD ON NOVEMBER 1, 2005 FOR ITEMS B – D

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

.....
NO ACTION WAS TAKEN Briefing on the Mayor's trip to Washington, DC.

Mayor John Cook commented.

Mr. Richard D'Ayoub, El Paso Greater Chamber of Commerce, gave a Powerpoint presentation.
(presentation on file in the City Clerk's Office)

Mr. Tom Thomas, commented on the role and needs of the medical community in the Army. He spoke on meetings held with Defense contractors.

Ms. Sylvia Borunda-Firth, Assistant City Attorney, commented.

.....
Motion made by Representative Lozano, seconded by Representative Lilly and unanimously carried to **APPROVE** budget transfer BT2006-042 ENVIRONMENTAL SERVICES

Separation of the department, Special Collections function from the Residential Collections function in order to more effectively track the activity costs of each program.

Decrease	\$1,169,540	from	34010291/40403	Various appropriations line items
Increase	\$1,169,540	to	34010294/40450	Various appropriations line items

.....
 Motion made by Representative Byrd, seconded by Representative Lozano and unanimously carried to **APPROVE** budget transfer BT2006-043 OMB

Increase to the reimbursable fund for the tracking of all costs associated with any and all measures taken by the City of El Paso to provide relief to the evacuees the City has received from New Orleans due to Hurricane Katrina.

Increase	\$2,000,000	to	22150024/G22060407172/406000	FedGrntProc
Increase	\$2,000,000	to	22150024/G22060407172/505200	CommSvcProj

The following City staff members commented:

1. Mr. David Almonte, Director of OMB
2. Ms. Joyce Wilson, City Manager

.....
RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City Manager be authorized to sign an Agreement for Engineering Services by and between the CITY OF EL PASO and BATH ENGINEERING CORPORATION, for a one (1) year period for an amount not to exceed FIVE HUNDRED THOUSAND AND 00/100 DOLLARS (\$500,000.00).

Representative Presi Ortega, Jr. commented.

Motion made by Representative Presi Ortega, Jr., seconded by Representative Lilly and unanimously carried to **APPROVE** the above Resolution.

.....
 Motion made by Representative Holguin, Jr., seconded by Representative Byrd and unanimously carried to **AWARD** Best Value Procurement Solicitation No. 2005-241 Fire Station No. 35

Location:	12230 Pine Springs Drive
Contractor:	Blair-Hall Co., Inc. El Paso, Texas
Department:	Fire
Funds Available:	14200404-PBE04FI105-29162-508027
Funding Source:	2004-General Obligation Bond
Items: Base Bid 1	\$1,252,000.00
Total Award:	\$1,252,000.00
Estimated Completion Date:	May 29, 2006

RECOMMENDATION:

The Departments of Financial Services, Engineering, and Fire recommend that Jan-Car, Inc., the low bidder, be allowed to withdraw their bid without prejudice or forfeiture of their bid security.

The Departments of Engineering and Fire recommend the award of this contract to Blair-Hall, Co., Inc., as this Offeror has provided the Best Value Proposal. It is requested that the City Manager of the City of El Paso be authorized to sign the referenced contract.

As part of the award of this contract, the City Engineer is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 25% of the original contract price as awarded, without further authorization by City Council.

Representative Byrd commented.

Mr. Byron Johnson, Financial Services, commented.

.....
Motion made by Representative Lozano, seconded by Representative Byrd and unanimously carried to **AWARD** Bid Solicitation No. 2005-195 City County Health Administrative Facility Phase II

Location:	5115 El Paso Drive
Contractor:	Jan-Car, Inc. El Paso, TX
Department:	El Paso City County Health and Environmental District
Funds Available:	41150015-41150023-PPW0203-05534-06105- 508027-508035
Funding Source:	Texas Dept. of Health, Office of Public Health Preparedness Grant FY-2005 D3
Items:	Base Bid \$995,000.00
Total Award	\$995,000.00
Estimated Completion Date:	May, 2006

RECOMMENDATION:

The Departments of Engineering, City County Health and Environmental District and the Consultant, Mijares-Mora Architects, recommend the award of this contract to Jan-Car, Inc., as this Offeror has provided the Best Value Proposal. It is requested that the City Manager of the City of El Paso be authorized to sign the referenced contract.

As part of the award of this contract, the City Engineer is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 25% of the original contract price as awarded, without further authorization by City Council.

Representative Byrd commented.

Mr. Byron Johnson, Financial Services, commented.

.....
Motion made by Representative Lozano, seconded by Representative Presi Ortega, Jr. and unanimously carried to **APPROVE** Change Order No. Four (4) (Construction Change) to Golf Works, Inc. for Contract No. 2005--050, EPIA Golf Course project, located at El Paso International Airport, Global Reach, for an increased amount of \$555,311.40.

- ITEM 1: Increase Bid Item XV, Line Item 2D, Sod Tifway (419) Bermuda grass, under Section A. Golf Course Construction by 10 acres at a unit cost of \$11,238.48 for a total cost of \$112,384.80.
- ITEM 2: Add Line Item to provide durable turf covers for greens surface (160,000 sf) at a cost of \$33,672.00.
- ITEM 3: Add Line Item to buffalo sod native areas at a unit cost of \$21,039.48/acre for 2 acres at a total cost of \$42,078.96.
- ITEM 4: Decrease Bid Item XV, Line Item 5C, Hydroseed Native Area Grass Option 1, under Section A. Golf Course Construction by 2 acres at a unit cost of \$3,520.00/acre for a total credit of \$7,040.00.
- ITEM 5: Add Line Item for Tifway (419) Bermuda grass Sod in Spring 2006 at a unit price of \$12,109.48/acre for 17 acres at a total cost of \$205,861.16.
- ITEM 6: Decrease Bid Item XV, Line Item 2C, Sprig Tifway (419) Bermuda grass (1,000 U.S. Bushels per acre), under Section A. Golf Course Construction, by 25 acres at a unit cost of \$2,625.00/acre for a total credit of \$65,625.00.
- ITEM 7: Add Line Item to provide for remobilization costs to be incurred by contractor for requiring contractor to cease operations during winter and extend contract to July 14, 2006. Cost of \$157,000.00.
- ITEM 8: Add Line Item to cover costs of shaping and clean up that will be required when contractor resumes work in 2006. Costs to be incurred as per Contractor's Change Request titled "Additional Shaping and Cleanup" dated August 31, 2005. Cost of \$75,809.48.
- ITEM 9: Add Line Item to increase mulch rate to 1200-1500 lbs/acre at a unit cost of \$450.00/acre for 7 acres at a total cost of \$3,150.00.
- ITEM 10: Add Line Item to hand plug buffalo sod over seeded areas in Spring 2006 at a unit cost of \$420.00/acre for 7 acres at a total cost of \$2,940.00.
- ITEM 11: Extend Grassing Deadline to June 1, 2006. Extend Construction Contract Time Frame by 219 days for a revised completion date of July 14, 2006.
- ITEM 12: Revise Bid Item I, Line Item 1, 1-1/2" Water, 4" force main and lift station under Section D. Water and Sewer (Restrooms). Instead provide for construction of a holding tank and 2" water line at a credit of \$4,920.00.

The revised scheduled completion date is July 14, 2006

Mayor John Cook and Representative Presi Ortega, Jr. commented.

.....
ORDINANCE 16172

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.88 (SCHEDULES), SECTION 12.88.200 (SCHEDULE XVII - RESTRICTIONS ON PARKING IN RESIDENTIAL DISTRICTS), OF THE EL PASO MUNICIPAL CODE, TO AMEND ZONE F: NO PARKING ANY TIME. THE PENALTY BEING AS PROVIDED IN SECTION 12.85.110 (VIOLATION - PENALTY) OF THE EL PASO MUNICIPAL CODE.**

Representative Lilly commented.

Mr. Rick Conner, City Engineer, commented.

Motion duly made by Representative Lilly, seconded by Representative O'Rourke, that the Ordinance be **ADOPTED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Lilly, Byrd, Lozano, Castro, Presi Ortega, Jr., Holguin, Jr., Steve Ortega and O'Rourke
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby **ADOPTED**.

.....
ORDINANCE 16173

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.88 (SCHEDULES), SECTION 12.88.030 (SCHEDULE III - PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS) TO ADD A NEW LOCATION ON CIELO VISTA DRIVE FROM A POINT 120 FEET SOUTH TO A POINT 300 FEET NORTH OF AVALON DRIVE, BOTH SIDES. THE PENALTY BEING AS PROVIDED IN SECTION 12.84.010 OF THE EL PASO MUNICIPAL CODE.**

Representative Lozano commented.

Mr. Rick Conner, City Engineer, commented.

Motion duly made by Representative Lozano, seconded by Representative Holguin, Jr., that the Ordinance be **ADOPTED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Lilly, Byrd, Lozano, Castro, Holguin, Jr., Steve Ortega and O'Rourke
NAYS: None Absent: None
NOT PRESENT FOR THE VOTE: Council Member Presi Ortega, Jr.

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby **ADOPTED**.

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ORDINANCE 16174

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.88 (SCHEDULES), SECTION 12.88.030 (SCHEDULE III - PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS) TO ADD A NEW LOCATION ON HAGUE ROAD BETWEEN OREGON STREET AND MESA STREET, SOUTH SIDE. THE PENALTY BEING AS PROVIDED IN SECTION 12.84.010 OF THE EL PASO MUNICIPAL CODE.**

Representative O'Rourke commented.

Mr. Rick Conner, City Engineer, commented.

Motion duly made by Representative O'Rourke, seconded by Representative Steve Ortega, that the Ordinance be **ADOPTED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Lilly, Byrd, Lozano, Castro, Holguin, Jr., Steve Ortega and O'Rourke
NAYS: None Absent: None
NOT PRESENT FOR THE VOTE: Council Member Presi Ortega, Jr.

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby **ADOPTED**.

.....
Motion made by Representative Lozano, seconded by Representative Steve Ortega and carried to **POSTPONE ONE (1) WEEK** an Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.030 (Schedule III - Parking Prohibited at All Times on Certain Streets) to amend: i) a location on Clark Drive from Dulaney Avenue to Trowbridge Drive, both sides; and ii) a location on Clark Drive, extending approximately seventy-six feet North from the North curblin of the Trowbridge Drive Access Road, both sides. The penalty being as provided in Section 12.84.010 of the El Paso Municipal Code.

Representative Presi Ortega, Jr. was not present for the vote.

Representative Lozano commented.

Mr. Rick Conner, City Engineer, commented.

.....
Motion made by Representative Steve Ortega, seconded by Representative Lilly and carried to **DENY** an Ordinance changing the zoning of a portion of Lot 2, Block 9, Lafayette Place, El Paso, El Paso County, Texas from C-1 (Commercial) to C-4/C (Commercial/Condition). The penalty is as provided for in Chapter 20.68 of the El Paso Municipal Code. Subject Property: 8021 N. Loop Road. Applicant: Jorge Rivera and Blanca Serrano. ZON05-00069

AYES: Representatives Lilly, Byrd, Castro, Holguin, Jr., Steve Ortega, and O'Rourke
ABSTAIN Representative Lozano
NOT PRESENT FOR THE VOTE Representative Presi Ortega, Jr.

Representatives Steve Ortega and Lozano commented.

Mr. George Sarmiento, Director of Planning, gave a Powerpoint presentation and commented.
(presentation on file in the City Clerk's Office)

.....
ORDINANCE 16175

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON05-00071, TO ALLOW FOR SHOPS FOR THE CONDUCT OF RETAIL BUSINESS ON THE EAST ½ OF LOTS 19 AND 20, BLOCK 58, CAMPBELL ADDITION, EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.61.060.K (ZONING) OF THE EL PASO MUNICIPAL CODE. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.**

Mr. George Sarmiento, Director of Planning, gave a Powerpoint presentation.
(presentation on file in the City Clerk's Office)

Motion duly made by Representative O'Rourke, seconded by Representative Steve Ortega, that the Ordinance be **ADOPTED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Lilly, Byrd, Lozano, Castro, Presi Ortega, Jr., Steve Ortega and O'Rourke
NAYS: None Absent: None
NOT PRESENT FOR THE VOTE: Council Member Holguin, Jr.

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby **ADOPTED**.

.....
ORDINANCE 16176

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF A PORTION OF SECTION 22, BLOCK 81, TOWNSHIP 1, TEXAS AND PACIFIC RAILROAD CO. SURVEYS, EL PASO, EL PASO COUNTY, TEXAS FROM R-3A/SC (RESIDENTIAL/SPECIAL CONTRACT) TO C-3/SC (COMMERCIAL/SPECIAL CONTRACT). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.**

Representatives Castro, Lozano and Byrd commented.

Mr. George Sarmiento, Director of Planning, gave a Powerpoint presentation.
(presentation on file in the City Clerk's Office)

Mr. Conrad Conde, representing Camino Real Investments, commented.

Motion duly made by Representative Castro, seconded by Representative Presi Ortega, Jr., that the Ordinance be **ADOPTED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Lilly, Byrd, Lozano, Castro, Presi Ortega, Jr., Holguin, Jr., Steve Ortega and O'Rourke
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby **ADOPTED**.

.....
ORDINANCE 16177

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF THE EAST 4 FEET OF LOT 21, ALL OF LOT 22, AND THE WEST 10.5 FEET OF LOT 23, BLOCK 92, BASSETT'S ADDITION, EL PASO, EL PASO COUNTY, TEXAS FROM A-2 (APARTMENT) TO A-O (APARTMENT-OFFICE). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.**

Mr. George Sarmiento, Director of Planning, gave a Powerpoint presentation.
(presentation on file in the City Clerk's Office)

Motion duly made by Representative O'Rourke, seconded by Representative Steve Ortega, that the Ordinance be **ADOPTED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Lilly, Byrd, Lozano, Castro, Presi Ortega, Jr., Holguin, Jr., Steve Ortega and O'Rourke

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby **ADOPTED**.

.....
ORDINANCE 16178

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF TRACT 465, SUNRISE ACRES NO. 1, EL PASO, EL PASO COUNTY, TEXAS FROM R-4 (RESIDENTIAL) TO R-3A (RESIDENTIAL). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.**

Representative Byrd commented.

Mr. George Sarmiento, Director of Planning gave a Powerpoint presentation. (presentation on file in the City Clerk's Office)

Motion duly made by Representative Byrd, seconded by Representative Lilly, that the Ordinance be **ADOPTED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Lilly, Byrd, Lozano, Castro, Presi Ortega, Jr., Holguin, Jr., Steve Ortega and O'Rourke

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby **ADOPTED**.

.....
ORDINANCE 16179

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF TRACT 7L5, FRESNO PLACE, EL PASO, EL PASO COUNTY, TEXAS FROM R-F (RANCH-FARM) TO R-3 (RESIDENTIAL). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.**

Representative Steve Ortega commented.

Mr. George Sarmiento, Director of Planning, gave a Powerpoint presentation. (presentation on file in the City Clerk's Office)

Motion duly made by Representative Steve Ortega, seconded by Representative O'Rourke, that the Ordinance be **ADOPTED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Lilly, Byrd, Lozano, Castro, Presi Ortega, Jr., Holguin, Steve Ortega and O'Rourke

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby **ADOPTED**.

.....

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON05-00083, TO ALLOW FOR A PARKING REDUCTION ON THE PROPERTY DESCRIBED AS A PORTION OF LOTS 11-15, BLOCK 214, ALEXANDER ADDITION, EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.64.175 OF THE EL PASO MUNICIPAL CODE. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.**

Representatives Lozano and Lilly commented.

Mr. George Sarmiento, Director of Planning, gave a Powerpoint presentation. (presentation on file in the City Clerk's Office)

Motion duly made by Representative Lilly, seconded by Representative Steve Ortega, that the Ordinance be **ADOPTED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Lilly, Byrd, Lozano, Castro, Presi Ortega, Jr., Holguin, Steve Ortega and O'Rourke

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby **ADOPTED**.

.....

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING A SPECIAL PRIVILEGE TO THE EL PASO SPORTS COMMISSION TO TEMPORARILY CLOSE A PORTION OF BOONE STREET BETWEEN PAISANO DRIVE AND DELTA DRIVE ON THE FOLLOWING DATES: WEDNESDAY, OCTOBER 12, 2005; THURSDAY, OCTOBER 13, 2005; FRIDAY, OCTOBER 14, 2005; SATURDAY, OCTOBER 15, 2005; SUNDAY, OCTOBER 16, 2005; FRIDAY, OCTOBER 21, 2005; SUNDAY, OCTOBER 23, 2005; MONDAY, OCTOBER 24, 2005; THURSDAY, OCTOBER 27, 2005; TUESDAY, NOVEMBER 1, 2005; FRIDAY, NOVEMBER 11, 2005; SUNDAY, NOVEMBER 20, 2005; WEDNESDAY, NOVEMBER 23, 2005; SATURDAY, NOVEMBER 26, 2005; THURSDAY, DECEMBER 1, 2005; SATURDAY, DECEMBER 3, 2005; SUNDAY, DECEMBER 4, 2005; AND SATURDAY, DECEMBER 31, 2005 TO STAGE FOUR LANES OF INCOMING TRAFFIC FOR EVENTS BEING HELD AT THE EL PASO COUNTY COLISEUM.**

Motion duly made by Representative O'Rourke, seconded by Representative Lozano, that the Ordinance be **ADOPTED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Lilly, Byrd, Lozano, Castro, Presi Ortega, Jr., Holguin, Steve Ortega and O'Rourke

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby **ADOPTED**.

NO ACTION WAS TAKEN City Manager's report of current events and issues.

Briefing on 2005 tax bills.

Mayor Cook and Representative Presi Ortega, Jr. commented.

Mr. Juan Sandoval, Tax Assessor/Collector, gave a Powerpoint presentation.
(presentation on file in the City Clerk's Office)

.....
Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Lilly and unanimously carried that the City Council **RETIRE** into **EXECUTIVE SESSION** at 11:33 a.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss any of the following:

Section 551.071 CONSULTATION WITH ATTORNEY
Section 551.072 DELIBERATION REGARDING REAL PROPERTY
Section 551.073 DELIBERATION REGARDING PROSPECTIVE GIFTS
Section 551.074 PERSONNEL MATTERS
Section 551.076 DELIBERATION REGARDING SECURITY DEVICES
Section 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

Discussion and action on the following:

- A.** Discussion and Action on the claim of Mark Briggs (551.071)
- B.** Isabel Burke and Cecilia Aguirre vs. City of El Paso; Cause No. EP-03-CA-0426-FM in the U.S. District Court for the Western District of Texas (551.071)

Motion made by Representative Lozano, seconded by Representative Byrd and unanimously carried to **ADJOURN** the **EXECUTIVE SESSION** at 12:05 a.m. and reconvene the meeting of the City Council, during which time motions were made.

.....
Motion made by Representative Lozano, seconded by Representative Byrd and carried that the claim of Mark Briggs be **DENIED** as recommended by the City Attorney's Office.

Representative O'Rourke was not present for the vote.

.....
NO ACTION WAS TAKEN regarding Isabel Burke and Cecilia Aguirre vs. City of El Paso; Cause No. EP-03-CA-0426-FM in the U.S. District Court for the Western District of Texas (551.071)

.....
Motion made by Representative Presi Ortega, Jr., seconded by Representative Byrd and unanimously carried to **ADJOURN** this meeting at 12:06 p.m.

Representative O'Rourke was not present for the vote.

.....
APPROVED AS TO CONTENT:

Richarda Duffy Momsen, City Clerk